

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SOLAX ENERGIA ALTIPLANO S.A. DE.
C.V. AND SOLAX ENERGY LLC,

Plaintiffs,

v.

ITHUBA CREDIT CORPORATION;
ITHUBA SAVINGS AND CREDIT;
ITHUBA INVESTMENT BANK AND
STATUTORY TRUST; ITHUBA
BUSINESS ADVISORY SERVICES, INC.;
ITHUBA HOLDINGS, INC.; ISCC GROUP
OF COMPANIES, JEAN BILALA AND
SEFUDI PAUL MALEKA,

Defendants.

JUDGMENT

21 Civ. 00863 (GBD)

This action was commenced on January 31, 2021 by the filing of the Summons and Complaint. Defendants Ithuba Business Advisory Services, Inc., Ithuba Credit Corporation, Ithuba Holdings, Inc., and Ithuba Investment Bank and Statutory Trust were all served by personal service on their respective agents for service of process and proof of service was therefore filed on March 18, 2021. On May 5, 2021 and May 10, 2021, counsel appeared on behalf of Defendants Ithuba Business Advisory Services, Ithuba Credit Corporation, Ithuba Holdings Inc., Ithuba Investment Bank and Statutory Trust, ISCC Group of Companies, and Jean Bilala (collectively, the “Defaulting Defendants”).

On June 17, 2021, Defaulting Defendants moved to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(6), or in the alternative under the doctrine of forum non conveniens. On November 17, 2021, this Court entered an order denying Defaulting Defendants’ motion to dismiss and ordered that expedited jurisdictional discovery finish by March 1, 2022. Defaulting

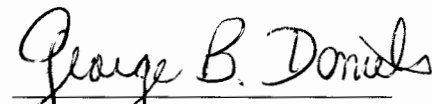
Defendants have not filed an answer or otherwise responded to the complaint since their motion to dismiss was denied.

On November 4, 2022, the Clerk of this Court entered the Clerk's Certificate of Default against the Defaulting Defendants on the basis that Defaulting Defendants have failed to plead or otherwise move with respect to the complaint since their motion to dismiss was denied on November 17, 2021. The time for answering the complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the Plaintiffs have judgment against the Defaulting Defendants. This Court refers this case to the Magistrate Judge for an inquest on damages. The Clerk of Court is directed to close the open motion at ECF No. 86.

Dated: May 25, 2023
New York, New York

SO ORDERED.



GEORGE B. DANIELS
United States District Judge